

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

July 13, 2015

Present: Mr. John Goerlach, Chairman
Mr. Robert Ericson
Mr. Henry Sayers

Absent: Mr. Paul Sieloff, Town Administrator

Warrants: Warrant Signed

The meeting was opened by John Goerlach at 6:00 p.m.

Public Comment

Ron Tinkham came before the Board to talk about Sunrise Street. Mr. Tinkham stated that he has walked the project with Commissioner Aaron Williams and has met with the Water Department. He stated that the normal finish work for this type of project has not been completed. He stated that he has requested a copy of the agreement between the Town and the Water Department and it has not been provided to him. He stated that the Water Department has no funding to complete the work that needs to be addressed. Mr. Tinkham stated that action needs to be taken with this and in relation to the Town beach. Mr. Tinkham stated that the Conservation Commission has denied having sand delivered as it is every year. Mr. Tinkham stated that he has not received a copy of their request. Mr. Goerlach stated that he would talk to the Town Administrator about getting this information. Mr. Goerlach stated there was plenty of sand on the beach to work with and perhaps that is why the Conservation Commission is not allowing for more to be delivered. Mr. Tinkham stated it is more of a refreshment type of sand. Mr. Sayers stated that maybe some sand should be removed and fresh sand brought in. Mr. Goerlach asked the Town Secretary to email the Conservation Commission for information. Mr. Tinkham stated that he believes the Conservation Commission is looking for some type of maintenance plan from the Town. Mr. Sayers stated that the Board should place it on an Agenda to address.

Permit(s) / Contract(s) / Use of Town Property or Notification to Town of Community Event / Appointment(s)

Permit to Construct a Driveway – Floyd Passardi

A revised application was presented to the Board for their approval. A Memorandum from DPW Director William Decelles and an email from Police Chief Timothy Sorrell was presented to the Board for their review. Tree Warden William Girard had contacted the Town and stated that he has no opposition to the application as presented. Motion 15-105. Motion made by Robert Ericson to approve the Permit to Modify, Relocate or Construct a Driveway of Floyd Passardi, seconded by Henry Sayers. Unanimously voted.[#1]

Ramblewild - All Alcohol Liquor License

The Town Secretary informed the Board that Counsel for Ramblewild contacted the Town this morning and withdrew their application.

Fireman's Association Block Dance – One day beer and wine license – August 8, 2015

Jeff Dechaine came before the Board on behalf of the Fireman's Association. Mr. Dechaine stated that the event will be the same as in the past although they may have some new vendors and an opening band for Whiskey City who performs at the event every year. He stated that the band will play until 11:00 p.m. at which time alcohol will no longer be served. The event is being held from 5:30 p.m. to 11:30 p.m. Mr. Dechaine stated that detail police officers will be on site. Motion 15-106. Motion made by Robert Ericson to approve the One Day Beer and Wine License and the Use of Town Owned Property Form as submitted by the Lanesborough Volunteer Fireman's Association, seconded by Henry Sayers. Unanimously voted. [#2]

Notification to Town of Community Event – Hoosac Valley Motorcycle Club

A Notification to Town of Community Event from the Hoosac Valley Motorcycle Club for "J Day Motorcycle" events to take place on August 29th and October 19th was presented to the Board. The application was circulated to various Town departments. Police Chief Timothy Sorrell's condition was that a detail officer would need to be obtained. Fire Chief Charles Durfee's condition was that Village Ambulance would need to be secured for the event and Health Agent Ed Fahey stated that the Health Department would need to be contacted and permits retained if food

is served at the event. Motion 15-108. Motion made by Robert Ericson to approve the Hoosac Valley Motor Club's J Day Motorcycle events on August 29th and October 19th with the stipulation that Detail Officers and Village Ambulance services be obtained and that adequate staff be positioned on the track for safety purposes, seconded by Henry Sayers. Unanimously voted. [#3]

Notification to Town of Community Event – Berkshire to Boston Bicycle Tour

A Notification to Town of Community Event from River's Edge Cycling, LLC for the Berkshires to Boston Bicycle Tour to take place on September 16th and 17th was presented to the Board. The application was circulated and endorsed by various Town departments. Motion 15-109. Motion made by Robert Ericson to approve the Berkshires to Boston Bicycle Tour, seconded by Henry Sayers. Unanimously voted. [#4]

Notification to Town of Community Event – Berkshire Mall – Family Fun Day

A Notification to Town of Community Event from the Berkshire Mall for "Family Fun Day" to take place on August 8th was presented to the Board. The application was circulated to various Town departments. This is a new event which will be held from 9 a.m. to 5:00 p.m. with events being held inside and out of the Mall. A radio station will be broadcasting live from the event. Motion 15-107. Motion made by Henry Sayers to approve Family Fun Day at the Berkshire Mall on August 8th, seconded by Robert Ericson. Unanimously voted. [#5]

Annual Appointments of Fire Department Board of Engineers

A list of the Fire Department Board of Engineers was presented to the Board for appointment. Motion 15-110. Motion made by Robert Ericson to approve the one-year appointment of the Fire Department Board of Engineers as presented, seconded by Henry Sayers. Unanimously voted. [#6]

Annual Appointments of Part Time Police Officers

A list of the part-time Police Officers was presented to the Board for appointment. Motion 15-111. Motion made by Robert Ericson to approve the one-year appointment of part-time Police Officers as presented, seconded by Henry Sayers. Unanimously voted. [#7]

Annual Appointment – Tom Rathbun – Fire Inspector

The Town Secretary notified the Board that Tom Rathbun had not been appointed as a Fire Inspector at their last meeting. Motion 15-112. Motion made by John Goerlach to appoint Tom Rathbun as Fire Inspector for a one-year term, seconded by Robert Ericson. Hank Sayers abstained from vote. Motion carried 2-0.

Appointment – Baker Hill Road District – John Goerlach and William Decelles – 6/30/18

The Town Secretary notified the Board that the appointments of John Goerlach and William Decelles at the prior meeting did not specify that the appointments were for three-year terms. Motion 15-113. Motion made by Henry Sayers to appoint John Goerlach and William Decelles to the Baker Hill Road District for three-year terms, seconded by Robert Ericson. John Goerlach abstained from vote. Motion carried 2-0. Henry Sayers voted out of the rule of necessity.

Sunrise Street Patching and Drainage Issues

A Memorandum from DPW Director William Decelles was presented to the Board for their review relative to the remaining work to be completed on Sunrise Street. The Board would like to send letter to the Water District with their concerns and expectations. [#8]

Budget Transfers

No action required.

Berkshire Wind Pilot Agreement

Town Counsel Jeffrey Blake came before the Board and presented a draft Payment in Lieu of Taxes agreement for their review and approval. In 2011 the Town entered into an agreement with Berkshire Wind Power Cooperative which expired in three years. Under the statute, this company is exempt from taxation on income, personal and real property although they are required to enter into a Pilot agreement with the Town. Attorney Blake stated that

he believes that this agreement is better than the previous one in that it requires the Cooperative to list their property each year to make it easier for the Town to assess taxes. It also requires the Cooperative to notify the Town within 30 days if they acquire or sell property. Attorney Blake stated the depreciation schedule which is attached to the agreement is still being reviewed by his office but he asked the Board to approve the agreement sans that schedule and he would bring a revised schedule to them for their approval. Motion 15-114. Motion made by Robert Ericson to approve the Payment in Lieu of Taxes Agreement contingent upon a final depreciation schedule, seconded by Henry Sayers. Unanimously voted. [#9]

Other business which could not have been reasonably foreseen within 48 hours of the meeting.

None.

Selectmen's Items

Mr. Ericson gave a schedule of work to be completed at the elementary school from the Energy Committee relative to the Green Community Grant to the Board. Mr. Goerlach asked if this was required by the Green Community. Mr. Ericson stated that it was necessary. Mr. Goerlach asked about the replacement of thermopanes which is #9 on the list. Mr. Ericson stated he has not received an answer yet. Mr. Ericson asked Mr. Goerlach to sign Certification which is required for the Green Community Grant. Mr. Goerlach stated that there is an issue on Narragansett Avenue with ducks and fowl as there is a resident with upwards of 60 birds which is creating problems for the neighbors. Mr. Goerlach stated that he met with Clark Gable on Saturday relative to this issue. Mr. Goerlach stated that the Town has a Right to Farm Bylaw but may need to set a limit to how many fowl because it is a bit excessive for that property as it is in a residential area. Mr. Sayers stated that he has talked to other towns about this and the Town can set a minimum number of acres that can be required, two or five acres. Mr. Sayers stated that this could be something the Town could look into. Mr. Ericson stated that the Energy Committee is now focusing on the police station. Mr. Goerlach asked if the Berkshire County Sheriff's office was contacted for help with the project. Mr. Ericson stated that they had not been contacted but that the First United Methodist Church has a support system where they hire out people on a reasonable basis and he was checking into that. Mr. Goerlach asked Mr. Ericson to check with the Town Administrator about using the Berkshire County Sheriff's office.

Approve Minutes

Motion made by Henry Sayers to approve the Minutes of June 8, 2015, seconded by Robert Ericson. Unanimously voted. Motion made by Henry Sayers to approve the Minutes of June 29, 2015, seconded by Robert Ericson. Unanimously voted.

Adjournment

Motion to adjourn meeting made by Henry Sayers, seconded by Robert Ericson. Unanimously voted. Meeting adjourned at 6:40 p.m.

Footnotes:

- [#1] Permit to Construct a Driveway – Floyd Passardi
- [#2] Lanesborough Volunteer Fireman's Assoc. – Application for Permit to Use Town Owned Property or Notification to Town of Community Event and Application for One-Day Temporary Liquor License
- [#3] Hoosac Valley Motorcycle Club - Notification to Town of Community Event
- [#4] River's Edge Cycling, LLC - Notification to Town of Community Event
- [#5] Berkshire Mall - Notification to Town of Community Event
- [#6] Fire Department Board of Engineer Appointments
- [#7] Part Time Police Officer Appointments
- [#8] DPW Director Memorandum – Sunrise Street
- [#9] Payment in Lieu of Taxes Agreement – Town of Lanesborough and Berkshire Wind Power Cooperative Corporation